



Courts and Tribunals Judiciary

How to Prepare for your Mental Health Hearing

If you are detained in hospital or your care in the community is managed under the Mental Health Act, your case is likely to come before a Tribunal in the Mental Health Jurisdiction, either because you have made an application, or a referral has been made on your behalf.

A hearing can take place either in person or online. If your hearing is taking place in person it will be held in a private and quiet room either in the hospital where you are staying, or community unit where you visit your doctor or Care Coordinator.

Once a date has been set, here are some ideas to help you prepare for your hearing:

- Get someone to help you
- Read your treating team's reports
- Talk to your treating team

Getting someone to help you

Before you attend your hearing, you should consider whether you want someone there to talk on your behalf or to represent you. You are entitled to legal representation and legal aid remains available for hearings such

as yours, although you will have to use a firm of solicitors approved by the Law Society. A solicitor may also be appointed by the Tribunal if, on the evidence, they believe that it would be in your best interest.

In addition, you may also be entitled to an Independent Mental Health Advocate (IMHA) who is someone specially trained to help you understand your rights and the terms of your detention or treatment.

Finally, if English is not your first language or you require sign language support you, or your legal representative, can ask for an interpreter.

You should speak to your doctor, nurse, or care coordinator if you want either a solicitor or IMHA.

Read your treating team's reports

Before your hearing your treating team will write reports, explaining your clinical history, how you are now and what their views are about whether you should remain under the care of the Mental Health Act.

You should be given a copy of these reports before the hearing and if you have not seen them you should speak to your

doctor, nurse, or care coordinator and ask for copies. Once you have them read them carefully. You should also discuss these reports with your legal representative.

Talk to your treating team and your legal representative

It is always helpful to discuss with your treating team anything that you think would help you to engage in the hearing. This allows us to make any reasonable adjustments you may require before the hearing takes place. If you have asked for a solicitor or representative, you should have an opportunity to meet with them before the hearing, usually a few days before, to discuss the reports. You may well speak to your solicitor a couple of times, and they will usually be at the hearing to help you.